

THIRD DAY.

(Thursday, January 11, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Henderson
Amsler.	of Marion.
Arnold.	Henderson
Atkinson.	of McLennan.
Avis.	Hendricks.
Baker of Milam.	Houston.
Baker of Orange.	Howeth.
Baldwin.	Hughes.
Barker.	Hull.
Barrett.	Irwin.
Beasley.	Jacks.
Bell.	Jennings.
Bird.	Johnson.
Blount.	Jones.
Bobbitt.	Kemble.
Bonham.	Lackey.
Bryant.	Laird.
Burmeister.	Lamb.
Cable.	Lane.
Carpenter	LeMaster.
of Dallas.	LeSturgeon.
Carpenter	Lewis.
of Matagorda.	Loftin.
Carson.	Looney.
Carter of Coke.	Lusk.
Carter of Hays.	McBride.
Chitwood.	McDaniel.
Coffee.	McDonald.
Collins.	McFarlane.
Covey.	McNatt.
Cowen.	Martin.
Crawford.	Mathes.
Culp.	Maxwell.
Davenport.	Melson.
Davis.	Merriman.
DeBerry.	Merritt.
Dielmann.	Miller.
Dinkle.	Montgomery.
Dodd.	Moore.
Downes.	Morgan
Driggers.	of Liberty.
Duffey.	Morgan
Dunlap.	of Robertson.
Dunn.	Pate.
Durham.	Patman.
Edwards.	Patterson.
Faubion.	Perdue.
Fields.	Pinkston.
Finlay.	Pool.
Frnka.	Pope.
Fugler.	Potter.
Gipson.	Price.
Green.	Purl.
Greer.	Quaid.
Hardin of Erath.	Quinn.
Hardin	Rice.
of Kaufman.	Robinson.
Harrington.	Rogers.

Rountree.	Stiernberg.
Rowland.	Storey.
Russell	Strickland.
of Callahan.	Stroder.
Russell of Trinity.	Sweet.
Sackett.	Teer.
Sanford.	Thompson.
Satterwhite.	Thrasher.
Shearer.	Turner.
Shires.	Vaughan.
Simpson.	Wallace.
Smith.	Wells.
Sparkman.	Westbrook.
Stell.	Wessels.
Stevens.	Williamson.
Stewart	Wilmans.
of Edwards.	Wilson.
Stewart of Jasper.	Winfree.
Stewart of Reeves.	Young.

Absent—Excused.

Brady. McKean.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVE OF ABSENCE GRANTED.

On motion of Mr. Shearer, Mr. Brady was granted leave of absence until Monday on account of important business.

OATH OF OFFICE ADMINISTERED.

Mr. Fields being recognized by the Speaker, stated that Hon. L. W. Harris, Representative-elect from the Fifty-ninth Representative District, composed of the county of Hill, was present in the Hall, and moved that the constitutional oath of office be administered to him.

The motion prevailed.

In accordance with the above action the Speaker appointed Mr. Sparkman, Mr. Fields and Mr. Simpson to escort Mr. Harris to the Speaker's stand.

The committee having performed its duty, the constitutional oath of office was administered to Mr. Harris by the Speaker.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Shires and Mr. Collins:

H. B. No. 27, A bill to be entitled "An Act amending Section 3, of Chapter 73, General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as

amended by Chapter 113, General Laws, Regular Session of the Thirty-sixth Legislature, so as to authorize counties to retain ninety per cent of motor vehicle registration, chauffeur or transfer fees; and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Hull:

H. B. No. 28, A bill to be entitled "An Act to amend an act entitled 'An Act to regulate and make sanitary buildings and rooms used and occupied as a bakery for the manufacture of bakery products, and the cleanliness of receptacles used in the handling of same; prohibiting the use of impure materials, fixing the weight of a loaf of bread; fixing a penalty for the violation of any provision thereof, and declaring an emergency,' being Chapter 65 of the General Laws passed at the Regular Session of the Thirty-seventh Legislature, by changing Section 5 of said act to read as follows, and by adding to said act the following sections to be known as Section 5a, Section 5b, Section 5c, Section 5d, and Section 5e; and declaring an emergency; and in said Sections 5, 5a, 5b, 5c, 5d and 5e, fixing the weight of a loaf of bread and making the same penalties as those of Section 6 of said Act apply to any person, firm, or corporation, making, manufacturing for sale, or selling, or offering or exposing for sale bread under or over the standard avoirdupois weights specified, and regulating the sale, etc., of twin and multiple loaves; and generally regulating the sale and delivery and handling of all bakers' products by all persons, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Hull:

H. B. No. 29, A bill to be entitled "An Act to amend Article 2, Title 1, of the Revised Civil Statutes of the State of Texas, 1911, relating to the adoption of heirs, so as to permit the adoption of minors only as legal heirs, and defining and designating the rights, privileges, and inheritances of heirs by adoption, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Hull:

H. B. No. 30, A bill to be entitled "An Act to amend Article 3094, Chapter 10, Title 49, styled 'nominations by

primary elections or otherwise,' of the Revised Civil Statutes of Texas of 1911 by adding thereto the proviso that the county chairman may, in his discretion, fix the assessment of the candidate or candidates for county assessor in a less proportional amount than that of any of the other candidates."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Hull:

H. B. No. 31, A bill to be entitled "An Act providing for the printing and publishing of all charters and amendments of charters of cities, heretofore or that may hereafter be adopted under the provisions of Section 3, Chapter 147 of the General Laws of the Thirty-third Legislature and heretofore, or that may hereafter be recorded in the Secretary of State's Office; making the same evidence when so printed; requiring the same to be published in volumes, styling and numbering the same; said volumes to be copyrighted in the name of the State; to be electrotyped and the plates to be owned by the State; and providing for the sale of such printed volumes."

Referred to Committee on Municipal and Private Corporations.

By Mr. Hull:

H. B. No. 32, A bill to be entitled "An Act conferring upon corporations chartered under subdivision 37, Article 1121, Revised Statutes of Texas, prior to the second day of February, 1900, and having \$100,000 or more capital, the additional power to purchase notes, bills, or other evidences of debt whether the same bear interest from date or from maturity on less sum than the face value thereof, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Jones:

H. B. No. 33, A bill to be entitled "An Act requiring the labeling of all cloth, fabric, garments or articles of apparel sold or offered for sale in this State which contain wool or purport to contain wool, and samples containing or purporting to contain wool displayed in this State in soliciting orders, and providing for punishment for violation of this act."

Referred to Judiciary Committee.

By Mr. Edwards:

H. B. No. 34, A bill to be entitled "An Act making an appropriation of three hundred thousand (\$300,000) dollars to build and equip an Administration Building at the North Texas State Normal College, Denton, Texas, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Edwards:

H. B. No. 35, A bill to be entitled "An Act to make emergency appropriation to enlarge and make adequate the central heating and power plant and to put a new roof on, repair and paint the Household Arts Building of the College of Industrial Arts, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Melson:

H. B. No. 36, A bill to be entitled "An Act providing for the assessment of taxes on the transfer of property by will or by the intestate laws of the State of Texas, or by transfer in contemplation of such taxes, repealing Articles 7490, 7491, and 7497 of Chapter 164 of the General Laws as passed by the Thirty-sixth Legislature approved April 3, 1919, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Bonham:

H. B. No. 37, A bill to be entitled "An Act repealing Chapter 17, Local and Special Laws, enacted by the First Called Session of the Thirty-third Legislature, and amended by the Regular Session of the Thirty-sixth Legislature, entitled San Patricio county road system, creating, providing that the general laws of the State of Texas relating to working public roads, appointing overseers, the issuance of bonds for the construction of public roads, shall be applicable to San Patricio county, validating all defined road districts defined, created, and established under and by virtue of said San Patricio county special road law, as well as the road bonds issued thereunder, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Bonham:

H. B. No. 38, A bill to be entitled "An Act creating the Adams Independent School District in San Patricio county, Texas, defining its boundaries, providing for the election of a board of trustees to manage and control the public free schools within said district, vesting said district with all the powers, rights, and duties of independent school districts created for free school purposes only, providing for the assumption by said district of all existing indebtedness of the territory embraced within the said district hereby created, and declaring an emergency."

Referred to Committee on Education.

By Mr. McDonald and Mr. Rountree:

H. B. No. 39, A bill to be entitled "An Act, on the subject of education, making provision for an opening exercise, in all the class and assembly rooms of the public schools of this State, to consist of readings, without comment, of appropriate passages from the Bible with religious or patriotic song; making it the duty of all school trustees, superintendents, principals and teachers, to conduct or to cause to be conducted by some one under his or her direction, the exercise provided for herein and making suitable provision for punishment and removal from office, or position, of any trustee, superintendent, principal or teacher who fails or omits to discharge the duties devolved on him or her by the provisions of this act; and also providing in a directory provision for prayer as a part of the exercise, whenever it is practicable, and exempting any child or children from participating in said exercises whose parent or guardian objects because of conscientious religious scruples."

Referred to the Committee on Education.

By Mr. Bonham:

H. B. No. 40, A bill to be entitled "An Act to provide a more efficient method for the collection of delinquent taxes, providing compensation for the county attorney and other officials, limiting the defense that may be urged in a suit for taxes, expressly repealing Articles 7687, 7688, 7689, 7690, 7691, 7692, 7696, 7699, 7697, 7687a, 7687b and 7688a, Vernon's Sayles' Texas Civil

Statutes, and repealing all laws in conflict herewith."

Referred to Committee on Revenue and Taxation.

By Mr. Rogers:

H. B. No. 41, A bill to be entitled "An Act to regulate domestic relations by prescribing means and procedure for the enforcement of the obligation of the father of legitimate minor children for their support and maintenance, and for other purposes, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Coffee and Mr. Melson:

H. B. No. 42, A bill to be entitled "An Act to repeal Chapter 7 of the Acts of the Regular Session of the Thirty-third Legislature approved February 11, 1913, providing for the suspension of sentences in certain felony cases, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Hull:

H. B. No. 43, A bill to be entitled "An Act to amend Article 7641, Title 126, Chapter 13, Revised Civil Statutes of Texas, in order to facilitate the collection of State, county, and city taxes, by perfecting tax titles by limitation after a period of two years."

Referred to Judiciary Committee.

By Mr. Finlay:

H. B. No. 44, A bill to be entitled "An Act to preserve and protect the wild fur-bearing animals of this State; declaring wild fur-bearing animals to be the property of the State; providing for the issuance of trapper's licenses, and the disposition of the license fees; defining offenses and prescribing penalties for the violation thereof; and making it the duty of the Game, Fish and Oyster Commissioner and his deputies to enforce the provisions of this act; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Faubion:

H. B. No. 45, A bill to be entitled "An Act to prevent the selling of bass, white perch, crappie, channel or other catfish in the counties of Burnet, Llano, San Saba, Brown, McCulloch, Edwards,

Coleman, Concho, Menard, Blanco, Gillespie, Kimble, Sutton, Kinney, Uvalde, Real, Kerr, Val Verde, Bandera, Kendall, Comal, Reeves, Ward, Loving, and Pecos, State of Texas; prohibiting the use of any seine, net, trap or other device, for taking or catching fish other than a minnow seine which shall not be more than twenty feet in length; limiting the size of fish which may be taken with a minnow seine; making it unlawful to violate any of the provisions of this law, and providing penalties for the violations thereof; providing that the district judge of the judicial districts in which these counties are situated shall give a special charge upon this law to the grand juries of said counties; and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Williamson:

H. B. No. 46, A bill to be entitled "An Act to amend Article 6938 of the Revised Statutes of 1911 so as to require the marking of highway intersections and authorizing commissioners courts to have same marked by advertising concerns, prescribing a penalty, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Potter:

H. B. No. 47, A bill to be entitled "An Act to amend Sections One (1) and Fifteen (15) of Chapter Eighty-one (81) of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, as amended by Chapter Thirty-four (34) of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth (36th) Legislature, approved July 25, 1919, as amended by Chapter One Hundred Nineteen (119) of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-seventh (37th) Legislature, approved March 31, 1921, extending the term of said Commission to the last Saturday in June, 1923, and providing for the appointment of judges for said extended term; providing for the extension of the term of said Commission from the last Saturday in June, 1923, until the last Saturday in June, 1925, for the appointment of judges for said extended term; providing for the qualifications thereof and fixing the same,

and providing and fixing the salaries of the same and the manner of payment thereof, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Wallace:

H. B. No. 48, A bill to be entitled "An Act providing for the removal of any public officer for intoxication and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Dielmann:

H. B. No. 49, A bill to be entitled "An Act to amend Chapter 3 of Title 118, Registration, of the Revised Civil Statutes of the State of Texas of 1911, by adding thereto Articles 6840a, and 6840b, providing for the filing with the county clerk as the recorder, of notices or statements of all liens, and claims and releases thereof, in favor of the Government of the United States or of any department or bureau thereof, providing how such notices or statements shall be filed, recorded and indexed, how said clerks shall be compensated for said services, repealing all laws in conflict therewith, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Dodd:

H. B. No. 50, A bill to be entitled "An Act to amend Title 66, Chapter 3, Revised Statutes of 1911, by adding thereto Article 4692a, defining self-rising flour, and the ingredients thereof, prescribing the weight of available carbon dioxide gas, and the percentage of chemical leavening ingredients, providing that the package or container in which it is sold shall be labeled in plain capital letters in the English language, stating the percentage by weight of each of the acid ingredients, fixing a penalty, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mrs. Wilmans and Mr. Carpenter of Dallas:

H. B. No. 51, A bill to be entitled "An Act creating the 'Dallas County District Court of Domestic Relations' and restricting the jurisdiction in part and providing for the transfer of cases between the Fourteenth District Court, the Forty-fourth District Court and the Sixty-eighth District Court; and providing that the Dallas County District Court of Domestic Relations shall have

jurisdiction of criminal prosecutions under the Wife and Child Desertion Act; repealing all laws and part of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Carson:

H. B. No. 52, A bill to be entitled "An Act relating to the jurisdiction of the County Court of Reagan County, conferring upon said court civil and criminal jurisdiction and increasing the civil jurisdiction of said court; conforming the jurisdiction of the district court of said county to such change; and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Irwin and Mr. Carpenter of Dallas:

H. B. No. 53, A bill to be entitled "An Act creating two additional district courts for Dallas county, defining their jurisdictions, adjusting the business of the existing district courts to the business thereof, prescribing the duties of the district clerk with respect thereto, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Melson and Mr. Stewart of Reeves:

H. B. No. 54, A bill to be entitled "An Act authorizing boards of supervisors of levee improvement districts heretofore authorized, or that may be hereafter organized, under any law pursuant to Section 52 of Article 3, or Section 59 of Article 16, of the Constitution, to file suits to collect delinquent taxes in such districts; providing the method of procedure therefor; providing that any bondholder may bring such tax suits in the name of the levee district where the supervisors fail to commence such suits within sixty days after taxes become delinquent; providing that this act shall be cumulative and shall not repeal any method of procedure now provided for by law for the collection of levee district taxes; and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Johnson:

H. B. No. 55, A bill to be entitled "An Act to regulate and prevent fraud

in the sale, purchase and disposition in the State of Texas, of stocks, stock certificates, bonds, debentures or other securities and the transaction of business in this State of persons, joint stock companies, brokers, agents, copartnerships or other companies, individuals or organizations, offering for sale or selling in this State such securities, excepting companies incorporated under the law of the State of Texas, creating what shall be known as the 'Securities Division' of the Railroad Commission of Texas, and making same a part thereof, and placing the administration of this act in the hands of the said 'Securities Division' hereby created, prescribing the duties and powers of the securities division and the salary and term of office of the "chief" of the securities division which office is hereby created; defining what shall constitute violations of this act and fixing penalties and punishments thereof; making appropriation for the support of the securities division; specifying that this act shall be known and cited as the 'Blue Sky Law of Texas'; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Johnson (by request):

H. B. No. 56, A bill to be entitled "An Act to amend Section 6772, Chapter 1, Title 117, of the Revised Civil Statutes of Texas, 1911, fixing the time within which commissioners court of any county heretofore or hereafter created, either in whole or in part from the territory of any other county or counties, shall order the records, deeds, mortgages, conveyances, incumbrances and muniments of title affecting or in anywise relating to all lands and real property which are or may be embraced in the territory so acquired and provide books for said purpose; repealing an act passed by the Thirty-fifth Legislature, being Senate bill No. 37, Chapter 50, entitled 'An Act to annul Article 6775, Title 117, Chapter of the Revised Statutes of the State of Texas of 1911, and declaring an emergency.'"

Referred to Committee on Counties.

By Mr. Edwards:

H. B. No. 57, A bill to be entitled "An Act creating the Ponder Independent School District in Denton county, Texas, defining its metes and bounds; providing for a board of trustees there-

of; vesting it with the rights and duties of districts incorporated for school purposes only under the general laws of the State of Texas, and declaring an emergency."

Referred to Committee on Education.

By Mr. Edwards:

H. B. No. 58, A bill to be entitled "An Act creating the Krum Independent School District of Denton county, by adding to and making a part of what is known as the Krum Independent School District of Denton certain lands and territories adjoining thereto and situated in Denton county for school purposes only; providing for a board of trustees, giving said board of trustees of said independent district power and jurisdiction over said land and territory and the inhabitants thereof; placing said Krum Independent School District under the general statutes, except as herein expressly provided otherwise, and declaring an emergency."

Referred to Committee on Education.

By Mr. Jones:

H. B. No. 59, A bill to be entitled "An Act to amend Chapter 12, pages 21 and 22 of the laws passed at the First Called Session of the Thirty-seventh Legislature, 1921, by changing the time and terms of holding court in the Sixty-third Judicial District, so that Section 1 of said act shall hereafter read as follows, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Melson, Mr. Carpenter of Dallas, Mr. Bobbitt, Mr. Lackey and Mr. Blount:

H. B. No. 60, A bill to be entitled "An Act to create and provide for a Department of Insurance for the State of Texas, separate and distinct from the Department of Banking of this State, to provide for the appointment, term of office, name, compensation, and to prescribe the qualifications and the powers and duties of the head of such department; to provide for a seal of such office; to require of the Commissioner of Insurance an oath of office and a bond for the faithful discharge of his duties; to provide for a deputy commissioner, and to define the duties and powers and obligations of the deputy commissioner, and to provide for actuaries and examiners, and for clerical help for such department; to amend Chapter 7 of Title 65 of the Revised Statutes of the State

of Texas, and particularly to amend Articles 4485, 4486, 4487, 4488, 4489, 4490, 4491 and 4492, and to repeal all laws and parts of laws in conflict herewith, and to declare an emergency."

Referred to Committee on Insurance.

By Mr. Durham:

H. B. No. 61, A bill to be entitled "An Act for the protection of stock raisers, farmers, and horticulturists; providing for the destruction of wolves, and other predatory wild animals; to make an appropriation therefor; to prescribe penalties for the violation thereof; to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Live Stock and Stock Raising.

By Mr. Simpson:

H. B. No. 62, A bill to be entitled "An Act amending Section 7 of Article 30 of the Revised Civil Statutes of Texas of 1911, as amended by Sections 3, 8, and 9 of the Acts of the Thirty-fifth Legislature, providing for the changing and fixing the times of holding the courts in the Seventh Judicial District of Texas, and validating and continuing all processes and writs, bonds recognizances and jurors heretofore selected, etc., returnable to the terms of court as they now exist, and continuing in session the district court, which may now be in session, until its term expires by law, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Merriman and Mr. Quinn:

H. B. No. 63, A bill to be entitled "An Act to establish and create a court to be known as the 'Corporation Court in Port Arthur, Texas,' and to prescribe its organization, jurisdiction and procedure of other courts thereto, repeal all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

HOUSE JOINT RESOLUTION ON FIRST READING.

The following House joint resolution, introduced today, was laid before the House, read first time, and referred to the Committee on Constitutional Amendments:

By Mr. Fields:

H. J. R. No. 6, Proposing an amendment to Section 18 of Article 5 of the Constitution of the State of Texas to provide for the election of county commissioners by the qualified voters of the entire county, and fixing a time for the election to be held on such amendment.

MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Department,
Austin, Texas, January 11, 1923.

To the Members of the Senate and House of Representatives of the Thirty-eighth Legislature:

I have been advised by your respective committees that you have perfected your organizations and are now ready for the dispatch of such business as may come before you.

With the assembling of each Legislature the Constitution of the State requires, in connection with your work, certain duties of me as to contemplated legislation. With a view of complying with this constitutional provision, I shall be glad, if it is entirely in accord with your views, to meet the Senate and House in joint session at 11 o'clock, Friday morning, January 12th, or at any hour thereafter that may be more convenient to your honorable bodies.

Awaiting your reply, I am,

Yours most sincerely,

PAT M. NEFF,
Governor.

PROVIDING COPIES OF HOUSE JOURNAL.

Mr. Rountree offered the following resolution:

Be it resolved by the House of Representatives, That one thousand (1000) copies of the House Journal of each day be printed; one hundred to be delivered to the Senate, three copies to be placed on the desk of each member of the House each day, three copies to be delivered to the head of each State department, seventy-five copies to the State Library, and the remainder to be

left with the Sergeant-at-Arms for distribution under the direction of the Speaker.

Signed—Rountree, Beasley.

The resolution was read second time and was adopted.

PROVIDING FOR MAILING CLERK.

Mr. Satterwhite offered the following resolution:

Whereas, In passing the resolution upon yesterday providing for the various employes of the House the place for mailing clerk was inadvertently omitted; therefore, be it

Resolved, That the Speaker be authorized to include in the list of appointments a mailing clerk, who shall be paid \$5 per day, and the provisions of said resolution shall apply to this appointee the same as all other appointments made by the Speaker.

The resolution was read second time and was adopted.

INVITATION TO AMERICAN LEGION BAND.

Mr. Satterwhite offered the following resolution:

Whereas, The 142nd Infantry Band of Brownwood is the official band of the State American Legion and one of the best bands in Texas; therefore, be it

Resolved, That the Thirty-eighth Texas House of Representatives extend a cordial invitation to said band to attend the inauguration of Governor Neff and Lieutenant Governor Davidson at Austin on next Tuesday, January 16th, and be the guest of the Texas Legislature; and in the event this invitation is accepted, the Speaker is authorized to appoint a committee of seven members of the House to make proper arrangements for a band-program in the House of Representatives on Tuesday evening.

Signed—Satterwhite and Morgan of Robertson.

The resolution was read second time and was adopted.

RELATING TO PASSAGE OF APPROPRIATION BILLS.

Mr. Teer offered the following resolution:

Whereas, It is a matter of common knowledge to the members of the House and the people of Texas that the State finances are in a depleted condition and

that there are no funds available to take care of additional appropriations; and

Whereas, It is generally conceded that it will be necessary to pass some laws for the purpose of raising additional revenue; and

Whereas, There are several important revenue measures pending before the House; and

Whereas, It is a part of wisdom for the Legislature to provide funds for appropriations before they are made and thereby keeping the State on a sound financial basis.

Be it resolved, That it be the policy of this House to refrain from the passage of any measure carrying an appropriation, except deficiencies and emergencies, until the proper revenue bills to provide ample funds have been passed; and that it be further

Resolved, That revenue measures be given preference to the end that the House may know what fund will be available before appropriations are made.

Signed—Teer, Faubion and Lackey.

The resolution was read second time.

Mr. Patman moved that the resolution be referred to the Committee on Appropriations.

Mr. Baldwin moved to refer the resolution to the Committee on Revenue and Taxation.

Mr. Patman accepted the motion of Mr. Baldwin.

Mr. Faubion moved to table the motion of Mr. Baldwin.

The motion to table was lost.

Mr. Perdue moved, that the Committee on Revenue and Taxation be instructed to report the resolution back to the House at the earliest possible date.

The motion was lost.

Question then recurring on the motion of Mr. Baldwin, it prevailed.

BILL RE-REFERRED.

On motion of Mr. Stewart of Edwards, House bill No. 33 was withdrawn from the Committee on Criminal Jurisprudence and referred to the Judiciary Committee.

INVITATION FROM THE FIRST METHODIST CHURCH.

The Speaker laid before the House and had read the following communication:

Austin, Texas, January 10, 1923.

To the Speaker, Hon. R. E. Seagler, and Members of the House of Representatives of the State of Texas now in Session Assembled.

Honorable Sirs: The First Methodist Church of Austin is for the coming several weeks conducting an evangelistic campaign in our city, with the Rev. Burke Culpepper of Memphis, Tenn., as the speaker.

It is our very great joy and high privilege to invite your most honorable body to attend the evening service on Friday of this week, and to occupy special seats reserved. The service begins at 7:30 o'clock. Rev. Culpepper will be delighted to speak a message in recognition of your presence and appropriate to such an occasion.

The tent where the services are being held is on Ninth Street and three blocks west of Congress Avenue.

Praying for you the wisdom that cometh from above in all your deliberations and counsels in your most responsible tasks, and wishing for every one of you personally continuous good, I am,

Yours truly,

EDWARD R. BARCUS,

Pastor, First Methodist Church.

Mr. Baker of Milam moved that the House accept the invitation.

The motion prevailed.

TEMPORARY COMMITTEE ON APPROPRIATIONS.

The Speaker announced the appointment of the following temporary Committee on Appropriations:

Messrs. Quaid, Edwards, Wallace, Blount, and Price.

EMPLOYES OF THE HOUSE.

The Speaker announced the appointment of the following employes of the House:

Porter to the Speaker, William Petitt.

Night watchman, Charles S. Pipkin.

Elevator man, William Gerron.

Secretary to Speaker, Read Granberry.

Mailing Clerk, Mrs. Jessie Marburger.

Warrant Clerk, Miss Lucy Read.

Assistant Journal Clerk, Miss Gussie Evans.

Sergeant-at-Arms in gallery, W. C. Nichols.

Bookkeeper to Sergeant-at-Arms, J. T. Hamilton.

Assistant to Sergeant-at-Arms, W. T. Vann.

Superintendent of the Hall of the House, J. C. Adrian.

Messenger to Confederate Woman's Home, W. H. McWilliams.

Messenger to Confederate Home, A. W. Mitchell.

Page assigned to Chas. C. Rice, Lowell Leberman.

Page assigned to Tom A. DeBerry, Frank Roach.

PROVIDING FOR JOINT SESSION.

Mr. Satterwhite offered the following resolution:

H. C. R. No. 1, Providing for a joint session to hear address of Governor.

Resolved by the House of Representatives, the Senate concurring, That a joint session of the House and Senate be held in the House of Representatives at 11 o'clock a. m. on Friday, January 12, to hear an address by the Governor.

The resolution was read second time.

On motion of Mr. Quaid, the resolution was adopted.

RECESS.

On motion of Mr. Satterwhite, the House at 11:50 o'clock a. m. took recess to 3:30 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3:30 o'clock p. m. and was called to order by the Speaker.

SENATE BILL NO. 1 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of forty thousand dollars, or so much thereof as may be necessary out of the general revenue of the State of Texas, to pay the contingent expenses of the Regular Session of the Thirty-eighth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 1 ON THIRD
READING.

Mr. Quaid moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 1 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—141.

Abney.	Hardin
Amsler.	of Kaufman.
Arnold.	Harrington.
Atkinson.	Harris.
Avis.	Henderson
Baker of Milam.	of Marion.
Baker of Orange.	Henderson
Baldwin.	of McLennan.
Barker.	Hendricks.
Barrett.	Howeth.
Beasley.	Hughes.
Bell.	Hull.
Bird.	Irwin.
Blount.	Jacks.
Bobbitt.	Jennings.
Bonham.	Jones.
Bryant.	Kemble.
Burmeister.	Lackey.
Cable.	Laird.
Carpenter	Lamb.
of Dallas.	Lane.
Carpenter	LeMaster.
of Matagorda.	LeSturgeon.
Carson.	Lewis.
Carter of Coke.	Loftin.
Carter of Hays.	Looney.
Coffee.	Lusk.
Collins.	McBride.
Covey.	McDaniel.
Cowen.	McDonald.
Crawford.	McFarlane.
Culp.	McNatt.
Davenport.	Martin.
Davis.	Mathes.
DeBerry.	Maxwell.
Dielmann.	Melson.
Dinkle.	Merriman.
Dodd.	Merritt.
Downs.	Montgomery.
Driggers.	Moore.
Duffey.	Morgan
Dunlap.	of Liberty.
Dunn.	Morgan
Durham.	of Robertson.
Edwards.	Pate.
Faubion.	Patman.
Fields.	Patterson.
Finlay.	Perdue.
Frnka.	Pinkston.
Fugler.	Pool.
Gipson.	Pope.
Green.	Potter.
Greer.	Price.
Hardin of Erath.	Purl.

Quaid.	Stewart of Reeves.
Quinn.	Stiernberg.
Rice.	Storey.
Robinson.	Strickland.
Rogers.	Stroder.
Rountree.	Sweet.
Rowland.	Teer.
Russell	Thompson.
of Callahan.	Thrasher.
Russell of Trinity.	Turner.
Sackett.	Vaughan.
Sanford.	Wallace.
Satterwhite.	Wells.
Shearer.	Westbrook.
Shires.	Wessels.
Simpson.	Williamson.
Sparkman.	Wilmans.
Stevens.	Wilson.
Stewart	Winfree.
of Edwards.	Young.
Stewart of Jasper.	

Absent.

Chitwood.	Miller.
Houston.	Smith.
Johnson.	Stell.

Absent—Excused.

Brady. McKean.

The Speaker then laid Senate bill No. 1 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—140.

Abney.	Coffee.
Amsler.	Collins.
Arnold.	Covey.
Atkinson.	Cowen.
Avis.	Crawford.
Baker of Milam.	Culp.
Baker of Orange.	Davenport.
Baldwin.	Davis.
Barker.	DeBerry.
Barrett.	Dielmann.
Beasley.	Dinkle.
Bell.	Dodd.
Bird.	Downs.
Blount.	Driggers.
Bobbitt.	Duffey.
Bonham.	Dunlap.
Bryant.	Dunn.
Burmeister.	Durham.
Cable.	Edwards.
Carpenter	Faubion.
of Dallas.	Fields.
Carpenter	Finlay.
of Matagorda.	Frnka.
Carson.	Fugler.
Carter of Coke.	Gipson.
Carter of Hays.	Green.

Greer.	Pinkston.
Hardin of Erath.	Pool.
Hardin	Pope.
of Kaufman.	Potter.
Harrington.	Price.
Harris.	Purl.
Henderson	Quaid.
of Marion.	Quinn.
Henderson	Rice.
of McLennan.	Robinson.
Hendricks.	Rogers.
Howeth.	Rountree.
Hughes.	Rowland.
Hull.	Russell
Irwin.	of Callahan.
Jacks.	Russell of Trinity.
Jennings.	Sackett.
Jones.	Sanford.
Kemble.	Satterwhite.
Lackey.	Shearer.
Laird.	Shires.
Lamb.	Simpson.
Lane.	Smith.
LeMaster.	Sparkman.
LeSturgeon.	Stevens.
Lewis.	Stewart
Looney.	of Edwards.
Lusk.	Stewart of Jasper.
McBride.	Stewart of Reeves.
McDaniel.	Stiernberg.
McDonald.	Storey.
McFarlane.	Strickland.
McNatt.	Stroder.
Martin.	Sweet.
Mathes.	Teer.
Maxwell.	Thompson.
Melson.	Thrasher.
Merriman.	Turner.
Merritt.	Vaughan.
Montgomery.	Wallace.
Moore.	Wells.
Morgan	Westbrook.
of Liberty.	Wessels.
Morgan	Williamson.
of Robertson.	Wilman.
Pate.	Wilson.
Patman.	Winfree.
Patterson.	Young.

Nays—1.

Perdue.

Absent.

Chitwood.

Loftin.

Houston.

Miller.

Johnson.

Stell.

Absent—Excused.

Brady.

McKean.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, January 11, 1923.

Hon. R. E. Seagler, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has
passedS. C. R. No. 6, Relating to the Texas
State Railroad property.H. C. R. No. 1, Relating to a joint
session of the House and Senate.

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

SENATE BILL NO. 2 ON SECOND
READING.The Speaker laid before the House,
on its second reading and passage to
third reading,S. B. No. 2, A bill to be entitled
"An Act to make an appropriation of
the sum of one hundred and twenty-five
thousand dollars, or so much as may
be necessary, payable out of the general
revenue not otherwise appropriated, to
pay the mileage and per diem of mem-
bers and the per diem of officers and
employees of the Thirty-eighth Legisla-
ture of the State of Texas; providing
for the approval of accounts, and de-
claring an emergency."The bill was read second time and
was passed to third reading.SENATE BILL NO. 2 ON THIRD
READING.Mr. Quaid moved that the constitu-
tional rule requiring bills to be read
on three several days be suspended and
that Senate bill No. 2 be placed on
its third reading and final passage.The motion prevailed by the follow-
ing vote:

Yeas—143.

Abney.	Carpenter
Amsler.	of Matagorda.
Arnold.	Carson.
Atkinson.	Carter of Coke.
Avis.	Carter of Hays.
Baker of Milam.	Coffee.
Baker of Orange.	Collins.
Baldwin.	Covey.
Barker.	Cowen.
Barrett.	Crawford.
Beasley.	Culp.
Bell.	Davenport.
Bird.	Davis.
Blount.	DeBerry.
Bobbitt.	Dielmann.
Bonham.	Dinkle.
Bryant.	Dodd.
Burmeister.	Downs.
Cable.	Driggers.
Carpenter	Duffey.
of Dallas.	Dunlap.

Dunn.	Morgan
Durham.	of Robertson.
Edwards.	Pate.
Faubion.	Patman.
Fields.	Patterson.
Finlay.	Pinkston.
Frnka.	Pool.
Fugler.	Pope.
Gipson.	Potter.
Green.	Price.
Greer.	Purl.
Hardin of Erath.	Quaid.
Hardin	Quinn.
of Kaufman.	Rice.
Harrington.	Robinson.
Harris.	Rogers.
Henderson	Rountree.
of Marion.	Rowland.
Henderson	Russell
of McLennan.	of Callahan.
Hendricks.	Russell of Trinity.
Howeth.	Sackett.
Hughes.	Sanford.
Hull.	Satterwhite.
Irwin.	Shearer.
Jacks.	Shires.
Jennings.	Simpson.
Jones.	Smith.
Kemble.	Sparkman.
Lackey.	Stell.
Laird.	Stevens.
Lamb.	Stewart
Lane.	of Edwards.
LeMaster.	Stewart of Jasper.
LeSturgeon.	Stewart of Reeves.
Lewis.	Stiernberg.
Loftin.	Storey.
Looney.	Strickland.
Lusk.	Stroder.
McBride.	Sweet.
McDaniel.	Teer.
McDonald.	Thompson.
McFarlane.	Thrasher.
McNatt.	Turner.
Martin.	Vaughan.
Mathes.	Wallace.
Maxwell.	Wells.
Melson.	Westbrook.
Merriman.	Wessels.
Merritt.	Williamson.
Montgomery.	Wilmans.
Moore.	Wilson.
Morgan	Winfree.
of Liberty.	Young.

Nays—1.

Perdue.

Absent.

Chitwood.
Houston.Johnson.
Miller.

Absent—Excused.

Brady.

McKean.

The Speaker then laid Senate bill No. 2 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—142.

Abney.	Harris.
Amsler.	Henderson
Arnold.	of Marion.
Atkinson.	Henderson
Avis.	of McLennan.
Baker of Milam.	Howeth.
Baker of Orange.	Hughes.
Baldwin.	Hull.
Barker.	Irwin.
Barrett.	Jacks.
Beasley.	Jennings.
Bell.	Johnson.
Bird.	Jones.
Blount.	Kemble.
Bobbitt.	Lackey.
Bonham.	Laird.
Bryant.	Lamb.
Burmeister.	Lane.
Cable.	LeMaster.
Carpenter	LeSturgeon.
of Dallas.	Lewis.
Carpenter	Loftin.
of Matagorda.	Looney.
Carson.	Lusk.
Carter of Coke.	McBride.
Carter of Hays.	McDaniel.
Coffee.	McDonald.
Collins.	McFarlane.
Covey.	McNatt.
Cowen.	Martin.
Crawford.	Mathes.
Culp.	Maxwell.
Davenport.	Melson.
Davis.	Merriman.
DeBerry.	Merritt.
Dielmann.	Miller.
Dinkle.	Montgomery.
Dodd.	Moore.
Downs.	Morgan
Driggers.	of Liberty.
Duffey.	Morgan
Dunlap.	of Robertson.
Dunn.	Pate.
Durham.	Patman.
Edwards.	Patterson.
Faubion.	Perdue.
Fields.	Pinkston.
Finley.	Pool.
Frnka.	Pope.
Fugler.	Potter.
Gipson.	Price.
Green.	Purl.
Greer.	Quaid.
Hardin of Erath.	Quinn.
Hardin	Rice.
of Kaufman.	Robinson.
Harrington.	Rogers.

Rountree.	Stiernberg.
Rowland.	Storey.
Russell	Strickland.
of Callahan.	Stroder.
Russell of Trinity.	Sweet.
Sackett.	Thompson.
Sanford.	Thrasher.
Satterwhite.	Turner.
Shearer.	Vaughan.
Shires.	Wallace.
Simpson.	Wells.
Smith.	Westbrook.
Sparkman.	Wessels.
Stell.	Williamson.
Stevens.	Wilmans.
Stewart	Wilson.
of Edwards.	Winfree.
Stewart of Jasper.	Young.
Stewart of Reeves.	

Absent.

Chitwood.	Houston.
Hendricks.	Teer.

Absent—Excused.

Brady.	McKean.
--------	---------

EMPLOYEES OF HOUSE.

The Speaker announced the appointment of the following employees of the House:

Stenographers—Miss Pearl Williams, Mrs. Lila Rea.

Committee Clerks—O. P. Schoolfield, Barron McCulloch, Earl F. Selman, Carlton R. Winn, Major T. Bell, Francis Cook, James A. Davis.

Assistant to Enrolling Clerk—Hobson Green.

Assistant to Calendar Clerk—Miss Gladys Nichols.

Page to Speaker—Buster Davis.

Pages—Quinten Lacey, George Woodruff, Leo Hilliard, Arnold Chenault, Bertram Simmons, Roy Meyer, Jay Brown, Clarence Pearson, Stephen Brougner, Walter Guest, Justin Cowart, Weldon Terrell, Homer Thornberry, Carl Pulliam, Jack Faulkner, John Lee Pool, Jesse Hellums, Paul Midkiff.

Clerk to Committee on Appropriations—B. D. Garmon.

Porters—Rufus Pope, Bruce Wallace, Will Green, Alexander Sampson, Isaiah Smith, Joseph Brunson.

REQUESTING INFORMATION FROM READING CLERK.

Mr. Rogers offered the following resolution:

Whereas, The thirty-eighth session of the Legislature is composed of many new members; and

Whereas, Said members are not thoroughly familiar with the method of securing supplies necessary to be used by said members while so serving.

Be it resolved, That the Reading Clerk be requested to explain same thoroughly to said members and to furnish them with other information required, all such members to have the privilege of asking such questions they so desire, relative to said procedure.

The resolution was read second time and was adopted.

HOUSE BILL NO. 21 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 21, A bill to be entitled "An Act to amend Section 2 of Chapter 57 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-first Legislature, 1909, by substituting therefore a new section; providing for the appointment of a clerk of the Court of Criminal Appeals; fixing his salary and defining his powers and duties; abolishing the salary of deputy clerk; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Loftin offered the following amendment to the bill:

Amend House bill No. 21, line 20, by striking out the figures "\$3600" and inserting in lieu thereof the figures "\$3000."

Question—Shall the amendment be adopted?

On motion of Mr. Beasley, further consideration of the bill was postponed until 11 o'clock a. m. next Saturday.

INVITING HON. ROY A. HAYNES TO ADDRESS THE LEGISLATURE.

Mr. Carpenter of Dallas offered the following resolution:

H. C. R. No. 2, Inviting Hon. Roy A. Haynes to address the Legislature.

Whereas, The Hon. Roy A. Haynes of Washington City, who is the National Federal Prohibition Commissioner, is to be in the State of Texas about the 26th and 27th of this month; and

Whereas, We have learned that Governor Pat M. Neff has invited him to visit the city of Austin; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Mr. Haynes be invited to address both

houses at about 11 o'clock on the morning of January 27th.

Resolved further, That a telegram advising of this resolution be sent to Mr. Haynes at Washington City.

Signed—Carpenter of Dallas, Satterwhite.

The resolution was read second time and was adopted.

ADJOURNMENT.

On motion of Mr. Carter of Coke, the House, at 5:30 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

FOURTH DAY.

(Friday, January 12, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Dunlap.
Amsler.	Dunn.
Arnold.	Durham.
Atkinson.	Edwards.
Avis.	Faubion.
Baker of Milam.	Fields.
Baker of Orange.	Finlay.
Barker.	Frnka.
Barrett.	Fugler.
Beasley.	Gipson.
Bell.	Green.
Bird.	Greer.
Blount.	Hardin of Erath.
Bobbitt.	Hardin
Bonham.	of Kaufman.
Bryant.	Harrington.
Cable.	Harris.
Carpenter	Henderson
of Dallas.	of Marion.
Carpenter	Henderson
of Matagorda.	of McLennan.
Carson.	Hendricks.
Carter of Coke.	Howeth.
Carter of Hays.	Hughes.
Coffee.	Hull.
Collins.	Irwin.
Covey.	Jacks.
Cowen.	Jennings.
Crawford.	Jones.
Culp.	Kemble.
Davenport.	Lackey.
Davis.	Laird.
DeBerry.	Lamb.
Dielmann.	Lane.
Dipkle.	LeMaster.
Dodd.	LeStourgeon.
Downs.	Lewis.
Driggers.	Loftin.
Duffey.	Looney.

Lusk.	Russell
McBride.	of Callahan.
McDaniel.	Russell of Trinity.
McDonald.	Sackett.
McFarlane.	Sanford.
McNatt.	Satterwhite.
Martin.	Shires.
Mathes.	Simpson.
Maxwell.	Smith.
Melson.	Sparkman.
Merriman.	Stell.
Merritt.	Stevens.
Miller.	Stewart
Montgomery.	of Edwards.
Moore.	Stewart of Jasper.
Morgan	Stewart of Reeves.
of Liberty.	Stiernberg.
Morgan	Storey.
of Robertson.	Strickland.
Pate.	Stroder.
Patman.	Sweet.
Patterson.	Teer.
Perdue.	Thompson.
Pinkston.	Thrasher.
Pool.	Turner.
Pope.	Vaughan.
Potter.	Wallace.
Price.	Wells.
Purl.	Westbrook.
Quaid.	Wessels.
Quinn.	Williamson.
Rice.	Wilmans.
Robinson.	Wilson.
Rogers.	Winfree.
Rountree.	Young.
Rowland.	

Absent.

Baldwin.	Houston.
Burmeister.	Johnson.
Chitwood.	Shearer.

Absent—Excused.

Brady.	McKean.
--------	---------

A quorum was announced present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Chitwood for today, on motion of Mr. Satterwhite.

Mr. Houston and Mr. Shearer until next Monday, on motion of Mr. Pope.

Mr. Burmeister until next Monday, on motion of Mr. Williamson.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read